

UNITED STATES DISTRICT COURT
Northern District of California

Ajaye,

Plaintiff(s),

v.

Air New Zealand, Ltd.,

Defendant(s).

07-05911 CRB

**NOTICE RE: NONCOMPLIANCE
WITH COURT ORDER**

The parties have failed to file an ADR Certification and either a Stipulation and [Proposed] Order Selecting an ADR Process or a Notice of Need for ADR Phone Conference as required by the Initial Case Management Scheduling Order. Counsel shall Meet and Confer forthwith in an attempt to agree on an ADR process for this matter. Thereafter, counsel, on behalf of themselves and each party, promptly shall file an **ADR Certification** and either 1) a **Stipulation and [Proposed] Order Selecting ADR Process**, or 2) a **Notice of Need for ADR Phone Conference** (Civil L.R. 16-8(b), ADR L. R. 3-5(b) Civil L.R. 16-8(c), ADR L. R. 3-5(c), (d)). (These forms are available at www.adr.cand.uscourts.gov.)

Further, in accordance with ADR L.R. 3-5(e) counsel shall concurrently provide a copy of all documents filed pursuant to this notice directly to the ADR Unit either by fax (415-522-4112), hand delivery (ADR Program, USDC, Northern District of California,

1 450 Golden Gate Avenue, 16th Floor, San Francisco, California), or by PDF attachment
2 to an e-mail directed to adr@cand.uscourts.gov.

3
4 It is the responsibility of counsel to schedule an ADR Phone Conference, if
5 required, to occur before the Case Management Conference.

6
7
8 Dated: February 14, 2008

9 RICHARD W. WIEKING

10 Clerk

11 by: Timothy J. Smagacz



12 ADR Administrative Assistant

13 415-522-4205

14 Tim_Smagacz@cand.uscourts.gov

PROOF OF SERVICE

Case Name: Ajaye v. Air New Zealand, Ltd.

Case Number: 07-05911 CRB

I declare that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California. I am over the age of eighteen (18) years and not a party to the action. My business address is:

ADR Program
United States District Court
Northern District of California
450 Golden Gate Avenue Floor 16
San Francisco, CA 94102

On February 14, 2008, I served a true and correct copy of:

Notice Re: Noncompliance With Court Order

[X] electronically, I caused said documents to be transmitted using ECF as specified by General Order No. 45 to the following parties:

Thomas V. Girardi
Girardi & Keese
1126 Wilshire Blvd.
Los Angeles, CA 90017-1904

Jennifer Lenze
Girardi Keese
1126 Wilshire Boulevard
Los Angeles, CA 91101

Esther L Klisura
Pearson Simon Soter Warshaw & Pelly
44 Montgomery Street
Suite 1200
San Francisco, CA 94010
eklisura@psswplaw.com

Bruce Lee Simon
Pearson, Simon, Soter, Warshaw & Penny, LLP
44 Montgomery Street
Suite 1200

San Francisco, CA 94104
bsimon@psswplaw.com

Air New Zealand, Ltd.
,

All Nippon Airways Co., Ltd.
,

China Airlines, LTD.
,

Eva Airways Corporation
,

Japan Airlines Corporation
,

Dean Michael Harvey
Boies, Schiller & Flexner
1999 Harrison St
Suite 900
Oakland, CA 94612
dharvey@bsfllp.com

John F. Cove Jr.
Boies Schiller & Flexner LLP
1999 Harrison Street
Suite 900
Oakland, CA 94612
jcove@bsfllp.com

Kenneth Fisher Rossman
Boies, Schiller & Flexner LLP
1999 Harrison Street
Suite 900
Oakland, CA 94612
krossman@bsfllp.com

Qantas Airways, Ltd.
,

Singapore Airlines, Ltd.
,

Thai Airways International Public Company, Ltd.

[] by Facsimile, I caused said documents to be transmitted to the following parties by fax machine:

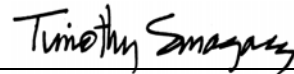
[] by U. S. Mail, I placed a true copy in a sealed envelope with postage fully prepaid in the United States Post Office Mail Box in San Francisco, California, addressed as follows:

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on February 14, 2008 in San Francisco, California.

RICHARD W. WIEKING

Clerk

by: Timothy J. Smagacz



ADR Administrative Assistant

415-522-4205

Tim_Smagacz@cand.uscourts.gov